

REMARKS

By this Amendment independent claims 33 and 42 have been amended to better define the apparatus and method of the invention, respectively, claims 34-39, 41, 44 and 46 have been amended with respect to their introductory wording, claim 45 has been corrected, and claims 40 and 43 have been rewritten into independent claims. Entry is requested.

It is believed that amended claims 40 and 43 (also claim 44) should now be allowed along with claims 45 and 46.

With respect to the examiner's outstanding rejection of claims 33-39, 41, 42 under 35 U.S.C. 102(b) as being anticipated by Gano, this rejection must now be withdrawn insofar as the examiner asserts that the Gano structure includes casing 110, which cannot be the situation in the present invention insofar as the claimed deflector tool is recited to be "removably insertable in a wellbore," whereas casing 110 would not be expected to be removably inserted in a wellbore with the other structural elements.

The examiner has rejected claim 47 under 35 U.S.C. 102(b) as being anticipated by Ohmer.

Ohmer discloses a method and apparatus for predictable downhole milling of a casing window having predetermined location, orientation, dimension and contour geometry. The examiner refers to the downhole deflector member 12 disclosed therein. However, there is no bore portion

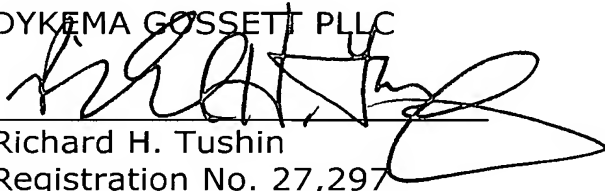
diameter than a remainder of the bore located uphole and downhole of the bore portion (Fig. 2 in Ohmer shows that uphole of the ramp to the tool body has a constant internal bore shape).

Allowance of this application is requested.

Respectfully submitted,

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